



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION IX**  
75 Hawthorne Street  
San Francisco, CA 94105

March 9, 2015

Certified Mail No: 7000 0520 0025 3714 2626

Return Receipt Requested

Bill Wagner  
Environmental/Safety Coordinator  
Trendwood Inc.  
120 E. Watkins Street  
Phoenix, Arizona 85004

Dear Mr. Wagner:

On December 2, 2014, representatives of the U.S. Environmental Protection Agency (EPA) conducted an unannounced compliance evaluation inspection (CEI) of Trendwood, Inc. at 261 East University Drive in Phoenix, Arizona with EPA ID No: AZR000001529. The purpose of the inspection was to determine the facility's compliance with applicable federal environmental statutes and regulations, and in particular, the Resource Conservation and Recovery Act (RCRA), as amended, the regulations provided in the Code of Federal Regulations (CFR), Chapter 40, Parts 261-265, 268, 273, and 279, and the Arizona Revised Statutes 49-922.

The inspectors conducted a physical inspection of the facility and reviewed records related to the facility's hazardous waste management practices. The attached report summarizes the violations identified by the inspectors and the corrective actions needed in order to comply with federal regulations.

Your response to letter is due within 30 calendar days of your receipt of this letter and must include a letter signed by a duly authorized official of Trendwood certifying correction of the identified areas of noncompliance. Documentation of your return to compliance may consist of, among other items, photographs, manifests, and revised records.

Violations of Subtitle C of RCRA such as those listed in this letter may be punishable by civil and criminal actions, including penalties of up to \$37,500 per day for each violation, as provided by Section 3008 of RCRA.

Confidential Business Information

If you believe any of the information in your response to this letter is entitled to treatment as confidential business information, please identify any such information and assert a confidentiality claim in accordance with 40 CFR § 2.203(b). EPA will construe the failure to furnish a confidentiality claim in the response to this letter as a waiver of that claim and information may be made available to the public by the EPA without further notice.

If EPA determines that any information over which Trendwood asserts a claim meets the criteria set forth in 40 CFR § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 CFR Part 2, Subpart B.

Please send your response by certified mail, return receipt requested, or submit by email in .pdf form to:

John Brock  
Enforcement Division, Waste and Chemical Section  
USEPA Region 9 (ENF-2-2)  
75 Hawthorne Street  
San Francisco, CA 94105  
Email: [brock.john@epa.gov](mailto:brock.john@epa.gov)

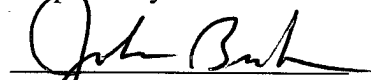
Once EPA receives your required response, we anticipate no further RCRA enforcement action at this time. This letter and report should not be construed as an EPA determination regarding your compliance with any other applicable regulations. If you have any questions related to this letter, please contact John Brock of my staff at (415) 972-3999.

Sincerely,



Douglas K. McDaniel  
Chief, Waste and Chemical Section  
Enforcement Division

Prepared by:



John Brock  
Inspector, Waste and Chemical Section

Cc: Jaclyn Palermo, ADEQ

Enclosure



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX**

75 Hawthorne Street  
San Francisco, CA 94105

**Purpose:** RCRA Compliance Evaluation Inspection

**Facility:** Trendwood, Inc.

**Location  
Address:** 261 East University Drive

**RCRA ID Number:** AZR000001529

**Date of Inspection:** 12/2/2014

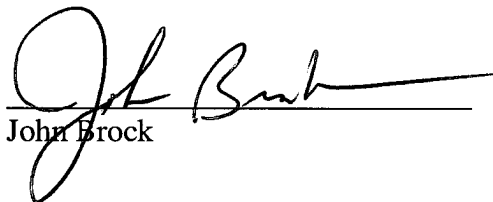
**EPA Representatives:** John Brock, Enforcement Officer  
415-972-3999  
brock.john@epa.gov

Jennifer MacArthur, Enforcement Officer  
415-972-3994  
macarthur.jennifer@epa.gov

**Facility Representative(s):** Bill Wagner, Environmental/Safety Coordinator  
602-416-7800  
Bill.Wagner@trendwood.com

**Report Date:** 3/9/2015

**Report Prepared  
by:**

  
John Brock

## **A. Introduction**

On December 2, 2014 representatives of the U.S. Environmental Protection Agency (EPA) conducted an unannounced hazardous waste management compliance evaluation inspection (CEI) of the Trendwood Plant #2 facility located at 261 East University Drive in Phoenix, Arizona. The purpose of the inspection was to determine Trendwood's compliance with applicable federal environmental statutes and regulations, and in particular, the Resource Conservation and Recovery Act (RCRA), as amended, the regulations provided in the Code of

Federal Regulations (CFR), Chapter 40, Parts 261-265, 268, 273, and 279 and the Arizona Revised Statutes (ARS)49-922.

## B. Facility Background

<b>Company Web-Site</b>	www.trendwood.com
<b>Site History</b>	Trendwood has been at this site over 30 years.
<b>Number of Employees</b>	Approximately 80
<b>Hours of Operation</b>	Monday – Friday 6:30 am to 3 pm
<b>Latitude/Longitude</b>	33.42468 , -112.06964
<b>Facility Operations</b>	Trendwood manufactures un-upholstered household wood furniture and youth bedroom furniture sets. Most of the wood milling takes place offsite at Trendwood Plant #1. Plant #2 seals, coats and stains the wood using one of four spray booths. The spent filters from these booths are collected and compacted into ring-top drums. Spent solvents are collected separately in bung-type drums. They also generate a powder from sweeping the spray booth filters, which prolongs the filters useful life. This powder is a combination of sealer and lacquer and is also a RCRA waste.
<b>RCRA and Non-RCRA Hazardous Wastes Streams</b>	Hazardous waste is accumulated in a 90-day accumulation area located in the yard outside the building. The non-RCRA waste generated includes solvent-contaminated rags, which are laundered, and kitty litter which is swept up from the spray booth floors. EPA Waste Codes: D001 D005 D006 D007 D008 D035 F003
<b>Generator Status</b>	Large Quantity Generator (LQG)
<b>Compliance History</b>	ADEQ last visited in 2012. Several issues were identified involving recordkeeping. Records are kept off-site in Mr. Wagner's office at 120 E. Watkins Street in Phoenix. It is about 1 mile away. It appears that ADEQ did not visit his office to review these records.
<b>SIC/NAICS Codes</b>	SIC 2512, NAICS 337122
<b>Optional Miscellaneous information (e.g., TRI Analysis)</b>	none

## C. Process Description

Hazardous waste is generated by the application of coatings on the wood furniture products in one of four spray booths. Filters from these booths and the dust that is swept off them to prolong their life is the main solid hazardous waste stream. This material is compacted in drums in a

storage area in the paved lot outside the shop. Spent solvents are collected nearby in a drum with a funnel attached. The 90-day hazardous waste storage area is located around the corner outside the shop. Full drums are stored here awaiting removal by a contractor (Stericycle).


## D. On-Site Inspection

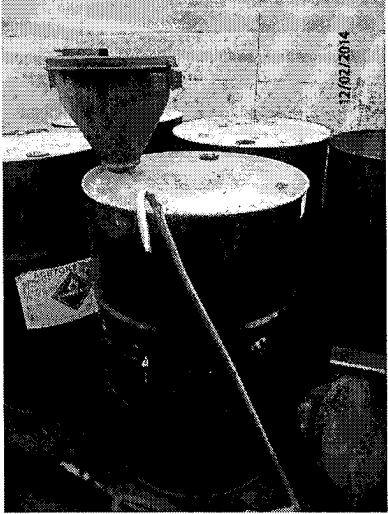

The on-site inspection portion of the CEI started at the new UV stain unit, which does not produce hazardous waste, and continued at an outside storage area, the spray booths, and finished at the facility's hazardous waste accumulation area (HWAA) (i.e., less than 90-day HWAA).

### 1. Outside Storage Area

Hazardous waste was observed outside the shop in two sealed ring-type 55-gallon drums containing spent filters and dust that were both labelled (Photo #1). EPA disagrees with Trendwood's interpretation that this is a Satellite Accumulation Area (SAA) because it is not at or near the point of generation under the control of the generator. It should be considered a 90-day HWAA. Also in this area was a 55-gallon bung-type drum with a funnel to collect spent solvents (Photo #2). This drum was unlabeled and the funnel was open when it was first observed. At the sealer spray booth, an unsealed, unlabeled drum was collecting dust swept off the filters onto the floor (Photo #3). This dust is hazardous waste and this drum should be a SAA container. Note – ADEQ stated in their 2004 inspection report that the hazardous waste SAA must be at or near the point of generation but made no mention of this in the 2012 inspection report.

The following table summarizes the observations made during the on-site inspection portion of the CEI for all areas except the facility's less than 90-day HWAA.


Observation	Photograph
<p>1. Drums on spill pallet. EPA does not consider this a SAA because it is not at or near the point of generation under the control of the operator.</p>	 <p>Photo #1</p>

Observation	Photograph
<p>2. Drum collecting solvents. Lid on funnel was open when first observed.</p>	 <p>Photo #2</p>
<p>3. Unlabeled and unsealed drum at spray booth containing powder removed from paint filters</p>	 <p>Photo #3</p>

## 2. Waste Accumulation Area (less than 90 day HWAA)

Ten 55-gallon metal drums of RCRA hazardous waste were observed in the HWAA. There was no eyewash/shower, fire extinguisher or alarm/communication device in the area.

The following table summarizes the observations made during the walk-through portion of the facility's HWAA.

Observation	Photograph
1. Drums in 90 day HWAA. All drums were sealed and labeled. There is no eyewash/shower, fire extinguisher or alarm/communication device.	 <p>Photo #4</p>

**E. Record Review (at Mr. Wagner's off-site office)**

Record	Year(s)	Observation(s)
Manifests	Most recent 3 years	No issues.
Contingency Plan (Business Plan)	Current. No implementation.	Keep copy at facility for use during emergency.
Training Records and Documentation	11/12/14 RCRA refresher	Reviewed. No issues. Mr. Wagner takes this course and trains others at site.
Inspections	Mr. Wagner does inspections.	Daily log reviewed and copy obtained. No issues.

**POTENTIAL VIOLATIONS  
OF RCRA 40 CFR  
Hazardous Waste Management Regulations**

NO.	STATUTE OR REGULATION	REGULATION SUMMARY	FINDING(S)
1	40 CFR §§ 262.34(a)(1)(i); 265.173(a)	A container holding hazardous waste shall always be closed during transfer or storage (accumulation), except when it is necessary to add or remove waste.	The funnel on the solvent drum in the yard outside the shop was open when first observed. See photo #2 above.
2	40 CFR §§ 262.34(c)(1); 265.173(a)	For satellite accumulation containers, "a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste."	The drum collecting dust generated from sweeping the paint booth filters did not have the ring attached. See photo #3 above.
3	40 CFR §§ 262.34(b); 265.32	All facilities must be equipped with fire extinguishers, alarm or internal communication device, and decontamination equipment.	The 90 day hazardous waste accumulation area did not have a fire extinguisher, alarm, or eyewash.
4	40 CFR §§ 262.34(b); 265.53	The contingency plan must be maintained at the facility.	The facility's contingency plan was not located on site.